

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JAMEL SHULER,

Plaintiff,

v.

No. 06-CV-792
(FJS/DRH)

QUIINN, Sgt., Upstate Correctional Facility; CAPTAIN BEZIO, Upstate Correctional Facility; SUPT. WOODS, Upstate Correctional Facility; J. ARMSTRONG, Correctional Officer, Upstate Correctional Facility; GRIFFEN, Correctional Officer, Upstate Correctional Facility; and JOHN DOE, Correctional Officer, Upstate Correctional Facility,

Defendants.

APPEARANCES:

OF COUNSEL:

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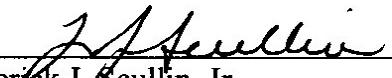
DECISION AND ORDER

The above-captioned matter having been presented to me by the Report-Recommendation of Magistrate Judge David R. Homer filed October 17, and the Court having reviewed the Report-Recommendation and the entire file in this matter, including plaintiff's written request to withdraw and discontinue this action sworn to before a Notary Public on October 9, 2007 and filed October 12, 2007, (see Dkt. No. 30), and defendants' agreement to that request, accordingly, the Court hereby

ORDERS, that the Report-Recommendation of Magistrate Judge David R. Homer filed October 17, 2007 is **ACCEPTED** in its entirety, for the reasons stated therein; and the Court further **ORDERS**, that pursuant to Fed. R. Civ. P.41(a)(1)(ii), this case is **DISMISSED** in its entirety in accordance with the stipulation of the parties.

IT IS SO ORDERED.

DATED: November 8, 2007
Syracuse, New York



Frederick J. Scullin, Jr.
Senior United States District Court Judge